

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 2:05CR111

LESA WALKER LESURE, et al

ORDER

This cause is before the Court on the government's Motion to Continue as to Nikita Lesure [30]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

That the government seeks a continuance in order to permit the finalization of a Pre-Trial Diversion Agreement with defendant Nikita Lesure. A continuance is necessary in order to allow the U.S. Probation Service to complete its investigation into Lesure's background and fitness for participation in said program. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from February 6, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to permit defendant to finalize her agreement with the government, thereby avoiding the necessity of a trial. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The government's Motion to Continue as to Nikita Lesure [30] is GRANTED;
2. That the trial of this matter is continued as to Nikita Lesure until Monday, April 10, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from February 6, 2006 until April 10, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is March 20, 2006;
5. That the deadline for submitting a plea agreement is March 27, 2006.

SO ORDERED, this the 26th day of January, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE